

**§ 176.52 Rejections of shipments in violation.**

(a) A carrier may not knowingly transport by vessel any hazardous material offered under a false or deceptive name, marking, invoice, shipping paper or other declaration, or without the shipper furnishing written information about the true nature of the material at the time of delivery.

(b) If a shipment in violation is found in transit, the master of the vessel shall adopt procedures which in his judgment provide maximum safety to the vessel, its passengers and its crew and which are in compliance with § 176.45. If the vessel is in port, the material may not be delivered to any party, and the master shall immediately notify the nearest Captain of the Port and request instructions for disposition of the material.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-1B, 41 FR 57072, Dec. 30, 1976]

**§ 176.54 Repairs involving welding, burning, and power-actuated tools and appliances.**

(a) Except as provided in paragraph (b) of this section, repairs or work involving welding or burning, or the use of power-actuated tools or appliances which may produce intense heat may not be undertaken on any vessel having on board explosives or other hazardous materials as cargo.

(b) Paragraph (a) of this section does not apply if:

(1) The repairs or work are approved by the COTP under 33 CFR 126.15(c); or

(2) Emergency repairs to the vessel's main propelling or boiler plant or auxiliaries are necessary for the safety of the vessel. If such repairs are performed, the master of the vessel must immediately notify the nearest COTP.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-30, 55 FR 52689, Dec. 21, 1990]

**Subpart C—General Handling and Stowage****§ 176.57 Supervision of handling and stowage.**

(a) Hazardous materials may be handled or stowed on board a vessel only

under the direction and observation of a responsible person assigned this duty.

(b) For a vessel engaged in coastwise voyages, or on rivers, bays, sounds or lakes, including the Great Lakes when the voyage is not foreign-going, the responsible person may be an employee of the carrier and assigned this duty by the carrier, or a licensed officer attached to the vessel and assigned by the master of the vessel.

(c) For a domestic vessel engaged in a foreign-going or intercoastal voyage, the responsible person must be an officer possessing an unexpired license issued by the USCG and assigned this duty by the master of the vessel.

(d) For a foreign vessel, the responsible person must be an officer of the vessel assigned this duty by the master of the vessel.

[Amdt. 176-30, 55 FR 52689, Dec. 21, 1990]

**§ 176.58 Preparation of the vessel.**

(a) Each hold or compartment in which hazardous materials are to be stowed must be free of all debris before the hazardous materials are stowed. Bilges must be examined and all residue of previous cargo removed.

(b) All decks, gangways, hatches, and cargo ports over or through which hazardous materials must be passed or handled in loading or unloading must be free of all loose materials before cargo handling operations begin.

(c) No debris that creates a fire hazard or a hazardous condition for persons engaged in handling hazardous materials may be on the weather deck of a vessel during loading or unloading operations.

(d) Hatch beams and hatch covers may not be stowed in a location that would interfere with cargo handling.

[Amdt. 176-30, 55 FR 52689, Dec. 21, 1990]

**§ 176.60 "No Smoking" signs.**

When smoking is prohibited during the loading, stowing, storing, transportation, or unloading of hazardous materials by this part, the carrier and the master of the vessel are jointly responsible for posting "NO SMOKING" signs in conspicuous locations.